

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO: 05CV10558

THOMAS V. MCCAFFERTY,
as father and next of friend of
BRYNN S. MCCAFFERTY, a minor,
Plaintiff,

v.

LOWE'S HOME CENTERS, INC.,
Defendant.

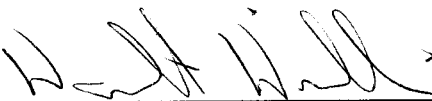
CERTIFICATION OF THE DEFENDANT, LOWE'S HOME CENTERS, INC.,

PURSUANT TO LOCAL RULE 16.1(D)(3)

Pursuant to Local Rule 16.1(D)(3), it is hereby affirmed that we have conferred for the purpose of:

- a. Establishing a budget for the costs of conducting the full course – and various alternative courses – of the litigation; and
- b. Considering the resolution of the litigation through the use of alternative dispute resolution programs.

Defendant, Lowe's Home Centers, Inc.



Authorized Representative: Walt Williams

Respectfully Submitted By,

Counsel for Defendant,
Lowe's Home Centers, Inc.

/s/ Jacy L. Wilson

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Dated: August 19, 2005